

**IN THE SUPREME COURT
STATE OF MISSOURI**

IN RE:)	
)	
STANLEY L. WILES,)	Supreme Court #SC86682
)	
Respondent.)	

RESPONDENT'S BRIEF

Glenn E. Bradford
Missouri Bar No. 27396
Bradford & Walsh, P.C.
1150 Grand Avenue, Suite 230
Kansas City, Missouri 64106
(816) 283-0400 FAX (816) 283-0820

ATTORNEYS FOR RESPONDENT

TABLE OF CONTENTS

<u>TABLE OF CONTENTS</u>	1
<u>TABLE OF AUTHORITIES</u>	2
<u>STATEMENT OF JURISDICTION</u>	3
<u>STATEMENT OF FACTS</u>	4
<u>PROCEDURAL HISTORY OF THIS CASE</u>	5
<u>FACTS UNDERLYING INFORMATION</u>	5
<u>POINT RELIED ON</u>	8
<u>ARGUMENT</u>	
<u>I</u>	10
<u>CONCLUSION</u>	20
<u>CERTIFICATE OF SERVICE</u>	22
<u>CERTIFICATION: RULE 84.06(c)</u>	23
<u>APPENDIX</u>	24

TABLE OF AUTHORITIES

<u>Error! No table of authorities entries found.</u>	
<u>ABA Standards for Imposing Lawyer Sanctions</u>	
9.32 (1991 ed.)	19

STATEMENT OF JURISDICTION

Jurisdiction over attorney discipline matters is established by Article 5, Section 5 of the Missouri Constitution, Supreme Court Rule 5, this Court's common law, and Section 484.040 RSMo 2000.

STATEMENT OF FACTS

On December 6, 2002, the Kansas Supreme Court publicly censured Respondent for violation of its diligence, communication, fee, and safekeeping of property rules in a decision dated App. 64-68. On June 17, 2003, The Missouri Supreme Court disciplined (Rule 5.20) Respondent based on the Kansas court's adjudication of professional misconduct. The Missouri Supreme Court indefinitely suspended Respondent's license to practice, with leave to apply for reinstatement in six months, but stayed the suspension and ordered Respondent to serve a one-year period of probation. App. 69-71.

In March of 2004, the Office of Chief Disciplinary Counsel moved the Court to issue an order for Respondent to show cause why his probation should not be revoked, based on probation violations enumerated in the motion. **A-121**. The enumerated violations included that Respondent was using his client trust account to pay salary expenses for office personnel and that he had retained \$1,500.00 of client Jerry Ivy's settlement proceeds without paying those funds over to third party creditors, as promised. **App. 121-124**. By Order dated May 25, 2004, the Missouri Supreme Court ordered the term of Respondent's probation extended for an additional two years until June 30, 2006. **App. 82**.

Procedural History of This Case

A disciplinary hearing panel was appointed on June 14, 2004, to hear a three-count information. The hearing was continued to November 19, 2004, on which date the hearing was conducted. Respondent Stanley L. Wiles was present and testified before the panel.

The panel issued its decision on February 7, 2005. The panel made findings of fact and conclusions of law consistent with the allegations set forth in the three counts of the information. The panel specifically found that Respondent did not fail to pursue the personal injury claim of client Ronald Guy with due diligence. **App. 12 (T. 39)**. The panel recommended disbarment. **App. 30-51**.

Facts Underlying Information

(James Perrine Matter)

On December 14, 2002, Respondent settled client James Perrine's personal injury case for \$4,504.00. **App. 75**. Respondent retained \$1,756.98 out of the settlement proceeds to pay Mr. Perrine's medical providers, representing to Mr. Perrine that the money would be paid to Perrine's creditors. **App. 75**. Respondent did not deposit the retained \$1,756.98 in a trust account. **App. 75**. Respondent paid Mr. Perrine's medical providers' bills on or about March 14, 2003. **App. 6 (T. 17), 75**. Respondent's trust account balance fell below \$1,756.00 in each of the four months between December of 2002 and March of 2003. **App. 75-76**. Informant received a complaint from Mr. Perrine prior to the date of when Respondent paid the medical providers' bills on or about March 14, 2003. **A-4**

(Opening Statement of Informant's counsel: "... (T)he medical bills in Mr. Perrine's case were not paid until there was a complaint made to our office.").

(Ronald Guy Matter)

On December 27, 2002, Respondent dismissed a petition filed against the manufacturer of a chemical alleged to have caused respiratory problems to his client, Ronald Guy, without prejudice . **App. 76-77**. Respondent dismissed the petition in order to gain some time to secure an expert witness with which to refute the defendant's experts. **App. 7 (T. 20)**. Mr. Guy filed a complaint against Respondent in July of 2003, alleging that Respondent was not keeping him informed about his case. Respondent responded to the complaint, relating his expert witness difficulties. **App. 77**. Respondent refiled the petition on Mr. Guy's behalf on December 15, 2003. **App. 77-78**. As found by the Panel, Respondent did take steps to gain service on the defendant after the petition was refiled. **App. 12 (T. 39)**. Respondent did not initiate communication with Mr. Guy, either by copying the client on letters generated in the attempt to gain service or by initiating telephone contact with him, about the status of Mr. Guy's case. **App. 8 (T. 25), 9-10 (T. 29-30)**. Respondent did respond to all of Mr. Guy's requests for information about the case. **App. 8 (T. 25), 9-10 (T. 29-30)**. Mr. Guy's last complaint was received on February 10, 2004, at which time he reported that he had received only one telephone call from Respondent. **A-26**. Mr. Guy still retains Respondent as his lawyer. **A-10**.

(Jerry Ivy Matter)

On April 3, 2003, Respondent Wiles settled Jerry Ivy's personal injury case for \$4,790.00. **App. 78.** At the time of the settlement, Mr. Ivy owed Marvin's Midtown Chiropractic Clinic over \$2,000.00 for services in connection with the personal injuries sustained by Mr. Ivy. **App. 78.** Mr. Ivy authorized Respondent to offer the clinic \$700.00 or \$750.00 to compromise its bill. **App. 10 (T. 32-33).** The clinic declined to compromise Mr. Ivy's bill for less than \$1,500.00. **App. 95.**

In April of 2003, Respondent retained \$1,500.00 from the Ivy settlement monies to pay the clinic. **App. 78-79.** In March of 2004, Respondent sent the clinic a check for \$750.00, which the clinic declined to accept. **App. 79.** Respondent paid the clinic the full \$1,500.00 in April of 2004, after the Office of Chief Disciplinary Counsel became aware of the situation. **App. 79, 97.** In seven of the months between April of 2003 and April of 2004, the balance in Respondent's trust fund account fell below \$1,500.00. **App. 80-81.**

POINT RELIED ON

I.

RESPONDENT HAS BEEN FOUND BY THE PANEL TO HAVE COMMITTED PROFESSIONAL MISCONDUCT BY COMMINGLING HIS FUNDS WITH THOSE OF HIS CLIENTS IN HIS CLIENT TRUST ACCOUNT AND CONVERTING CLIENT MONEY IN ORDER TO MEET HIS OWN PERSONAL FINANCIAL OBLIGATIONS, AS WELL AS FAILING TO KEEP A CLIENT INFORMED. HOWEVER, THE PRESENT CLIENT INSTANCES INVOLVING SUCH CONDUCT, THE PERRINE, GUY, AND IVY MATTERS, OCCURRED PRIOR TO THE TIME THIS COURT IN MAY, 2004, EXTENDED RESPONDENT'S PROBATION FOR AN ADDITIONAL TWO YEARS. IN POINT OF FACT, THE IVY MATTER WAS PREVIOUSLY PRESENTED TO THIS COURT BY INFORMANT IN ORDER TO SUPPORT INFORMANT'S MOTION TO TERMINATE RESPONDENT'S PROBATION. THIS COURT CLEARLY RECOGNIZED IN MAY, 2004, THAT RESPONDENT HAD BEEN GUILTY OF SERIOUS, MULTIPLE VIOLATIONS OF THE TRUST ACCOUNT RULES. RESPONDENT WOULD SUBMIT THAT THE IMPORTANT POINT TO CONSIDER IS HIS COMPLIANCE WITH ETHICAL RULES AND REGULATIONS SINCE THIS COURT'S LAST DISCIPLINARY ACTION

ON MAY 25, 2004. INFORMANT HAS PRESENTED NO EVIDENCE THAT RESPONDENT HAS FAILED TO FOLLOW TRUST ACCOUNT RULES, OR ANY OTHER DISCIPLINARY RULE, FROM AND AFTER THIS COURT'S EXTENSION OF HIS PROBATION ON MAY 25, 2004. ALTHOUGH RESPONDENT MAY BE SUBJECT TO ADDITIONAL DISCIPLINE BASED ON PAST VIOLATIONS, THAT DISCIPLINE SHOULD NOT BE DISBARMENT.

In re Caranchini, 956 S.W.2d 910, 911 (Mo. banc 1997).

In re Schaeffer, 824 S.W.2d 1, 5 (Mo. banc 1992).

In re Kohlmeyer, 327 S.W.2d 249, 251-252 (Mo. banc 1959)

In Re Oberhellmann, 873 S.W.2d 851, 852-53 (Mo. en banc 1994).

ARGUMENT

(In response to Informant's Points Relied on I. and II.)

I.

RESPONDENT HAS BEEN FOUND BY THE PANEL TO HAVE COMMITTED PROFESSIONAL MISCONDUCT BY COMMINGLING HIS FUNDS WITH THOSE OF HIS CLIENTS IN HIS CLIENT TRUST ACCOUNT AND CONVERTING CLIENT MONEY IN ORDER TO MEET HIS OWN PERSONAL FINANCIAL OBLIGATIONS, AS WELL AS FAILING TO KEEP A CLIENT INFORMED. HOWEVER, THE PRESENT CLIENT INSTANCES INVOLVING SUCH CONDUCT, THE PERRINE, GUY, AND IVY MATTERS, OCCURRED PRIOR TO THE TIME THIS COURT IN MAY, 2004, EXTENDED RESPONDENT'S PROBATION FOR AN ADDITIONAL TWO YEARS. IN POINT OF FACT, THE IVY MATTER WAS PREVIOUSLY PRESENTED TO THIS COURT BY INFORMANT IN ORDER TO SUPPORT INFORMANT'S MOTION TO TERMINATE RESPONDENT'S PROBATION. THIS COURT CLEARLY RECOGNIZED IN MAY, 2004, THAT RESPONDENT HAD BEEN GUILTY OF SERIOUS, MULTIPLE VIOLATIONS OF THE TRUST ACCOUNT RULES. RESPONDENT WOULD SUBMIT THAT THE IMPORTANT POINT TO CONSIDER IS HIS COMPLIANCE WITH ETHICAL RULES AND REGULATIONS SINCE THIS COURT'S LAST DISCIPLINARY ACTION ON MAY 25, 2004. INFORMANT HAS

PRESENTED NO EVIDENCE THAT RESPONDENT HAS FAILED TO FOLLOW TRUST ACCOUNT RULES, OR ANY OTHER DISCIPLINARY RULE, FROM AND AFTER THIS COURT'S EXTENSION OF HIS PROBATION ON MAY 25, 2004. ALTHOUGH RESPONDENT MAY BE SUBJECT TO ADDITIONAL DISCIPLINE BASED ON PAST VIOLATIONS, THAT DISCIPLINE SHOULD NOT BE DISBARMENT.

The disciplinary hearing panel recommended disbarment. The Disciplinary Hearing Panel's recommendation is, of course, advisory in nature. The findings of fact, conclusions of law, and recommendations of the disciplinary panel are advisory in nature. *In Re Oberhellmann*, 873 S.W.2d 851, 852-53 (Mo. en banc 1994). In attorney discipline matters the Court reserves to itself *de novo* review of the record and draws its own conclusions as to whether the facts constitute Rule violations. *In re Caranchini*, 956 S.W.2d 910, 911 (Mo. banc 1997).

Informant seeks the disbarment of Respondent Stanley L. Wiles based on conduct which occurred prior to this Court's Order extending Respondent's probation on May 25, 2004. Informant has presented no evidence that Respondent has been guilty of violating any rule of professional conduct or any aspect of the Supreme Court's May 25, 2004, Order from and after May 25, 2004. Informant reaches back into the past to bring up conduct of a similar nature to conduct already having been considered earlier and resulting in discipline by this Court. Additionally, Informant again brings up issues related to the Jerry Ivy settlement related to misuse of trust account funds which exact same conduct was previously presented to the Court by Informant to support Informant's Motion to Revoke Respondent's Probation and

which conduct presumably formed at least part of the basis for this Court's May 25, 2004, Order extending Respondent's probation for two years. Finally, the panel found no grounds to find a violation by Respondent on Ronald Guy's personal injury case as to diligence. Informant presses the general finding by the Panel of an unspecified, general failure to keep Mr. Guy informed, which from the evidence necessarily must have occurred prior to this Court's Order of May 25, 2004. The last complaint received from Mr. Guy was on February 10, 2004. Mr. Guy has made no further complaint and has continued to employ Respondent as counsel on his case, Mr. Guy then presumably being satisfied with Respondent's representation since February 10, 2004. **A-26; A-10.** No evidence was presented that Respondent is not presently conforming his conduct to the requirements of the law, ethical rules and this Court's Order of May 25, 2004. **Entire Record.**

Appendix 1 hereto is a Timeline showing the dates of the various events shown by the evidence. The three client complaints (Counts in the Information) are color coded so that each count may be viewed separately. From studying the Timeline, it is apparent that the Informant is attempting to dredge up old issues to justify additional discipline. In fact, Informant believes that Respondent should be disbarred for conduct which occurred prior to this Court's last review of Respondent's case, which resulted in this Court's Order of May 25, 2004, extending Respondent's probation for an additional two years. In fact, one of the three cases, Count III, the Jerry Ivy trust account matter, was specifically brought to this Court's attention in March, 2004, by virtue of Informant's Motion to Revoke Respondent's Probation. Presumably, the

Jerry Ivy matter was considered by this Court as a basis for its May 25, 2004, extension of Respondent's probation.

The Timeline demonstrates that none of the cited conduct occurred after this Court's Order of May 25, 2004. It would seem to Respondent that the significant question in this case should be his conformance to the law, ethical requirements and this Court's Orders subsequent to May 25, 2004. Going back in history to drag up old, similar offenses, would seem to frustrate the purposes of the probation process and this Court's Order of May 25, 2004.

With regard to the Perrine matter, Respondent does not dispute his trust account balance at times fell below the amounts he retained from clients to pay their creditors. *In re Schaeffer*, 824 S.W.2d 1, 5 (Mo. banc 1992). Respondent's eventual payment of the retained client funds to the clients' creditors is not a legal defense to his violation of the Rule. See *In re Schaeffer*, 824 S.W.2d 1, 5 (Mo. banc 1992); *In re Kohlmeyer*, 327 S.W.2d 249, 251-252 (Mo. banc 1959). However, such action does demonstrate some good faith and honorable intentions by Respondent towards his clients.

The Perrine trust account issues occurred after (December 14, 2002 through March 14, 2003) the Kansas Supreme Court's decision (December 6, 2002), and the Ivy trust account issues occurred primarily after (April 2, 2003 through April 16, 2004) this Court put Respondent on probation (June 17, 2003). Apparently the Perrine trust account issues were not known to either the Kansas Supreme Court or this Court at the time that the Kansas Court and this Court took the prior disciplinary actions. However, the Perrine matter is precisely the same kind and quality of conduct involving trust account irregularities for which the Kansas

Court and this Court took disciplinary action on Respondent. If Respondent was admittedly not following trust account rules in the cases of the clients considered in December, 2002, by the Kansas Supreme Court and in April, 2003, and May, 2004, by this Court, it regrettably must surely be assumed that there might have been additional clients involved.

Respondent was put on probation by Kansas and Missouri, and his probation extended by Missouri, based on mishandling his trust account. Apparently, he has not repeated this conduct since this Court's two-year extension of his probation in May, 2004. What is the point of going back several years to raise an issue of similar conduct, the gist of which has already been considered both in Kansas and Missouri? The Perrine matter is simply another example of the same kind and type of conduct which has already been considered both in Kansas and Missouri.

What should be relevant is Respondent's compliance with ethical requirements since this Court's extension of his probation in April, 2004. The Informant has presented no evidence that Respondent has violated trust account rules since this Court's extension of his probation in May, 2004.

As noted by the Informant, this Court's decision included elements related to diligence and communication. In the Guy matter, as with the Perrine matter, it should not come as an earthshaking surprise now that there might have been one client - among all of Respondent's clients - who would feel that Respondent was not communicating well enough.

Respondent is accused of failing to keep client Johnny Guy properly informed about the status of his case. Respondent testified that he was trying to get the defendant served over a period of months and that he talked to Mr. Guy about his case when he called. **A-10.** It was

originally charged in the information that Respondent took no action on Mr. Guy's case for a period of months although the record shows that he certainly did take action on the case by refiling the case and attempting to have service made on the defendant. The Panel specifically found that Respondent did not violate Rule 4.1-3 by failing to act with reasonable diligence and promptness in representing the client. The other specific allegation in the Information is that Respondent failed to keep Mr. Guy reasonably informed about the status of his matter. However, the Information alleges only that Respondent failed to keep Mr. Guy informed before February 10, 2004, when Mr. Guy contacted Informant and stated that he had received only one phone call from Respondent about his case. There was no claim or evidence from Mr. Guy to the effect that Respondent had failed to keep him informed after February 10, 2004. **A-26.** Therefore, the Panel's finding that Respondent failed to keep Mr. Guy informed must necessarily relate to the period before February 10, 2004, the date of Mr. Guy's last complaint. Mr. Guy did not testify before the panel.

After this Court's Order extending Respondent's probation on May 25, 2004, Informant apparently received no further complaints from Mr. Guy. At least, no evidence was presented to the Panel that Mr. Guy had complained after February, 2004. In fact, Respondent testified that he had communicated with Mr. Guy and that Mr. Guy still retained him as counsel to pursue his lawsuit. **A-10.** If Mr. Guy did not complain about communication after February, 2004, and still retained Respondent as his attorney on his case, then the inference would seem to be that Mr. Guy was satisfied with Respondent's representation from and after February 10, 2004.

In March of 2004, the Office of Chief Disciplinary Counsel moved the Court to issue an order for Respondent to show cause why his probation should not be revoked, based on probation violations enumerated in the motion. The enumerated violations included that Respondent was using his client trust account to pay salary expenses for office personnel and had retained \$1,500.00 of client Jerry Ivy's settlement proceeds without paying them to third party creditors as promised. **App. 121-124.** Informant had received a complaint from Mr. Perrine prior to the date when Respondent paid the medical providers' bills on or about March 14, 2003. **A-4** (Opening Statement of Informant's counsel: ". . . (T)he medical bills in Mr. Perrine's case were not paid until there was a complaint made to our office."). For some reason, Informant did not see fit to include the specifics of the Perrine matter in its motion to the Missouri Supreme Court to revoke Respondent's probation, although it was generally alleged that "(Respondent) has continued to use his client trust account to pay salary expenses for office personnel, parking costs, postage expenses and make cash withdrawals." Although the Jerry Ivy matter was specifically included in Informant's motion to revoke Respondent's probation, the James Perrine matter was for some reason not specifically included in the motion. By Order dated May 25, 2004, the Court ordered the term of Respondent's probation extended until June 30, 2006, and added some additional conditions to the terms of probation. **App. 82.**

The Ivy trust account issues occurred primarily after (April 2, 2003 through April 16, 2004) this Court put Respondent on probation (June 17, 2003) but before this Court extended Respondent's probation for two additional years in May, 2004. In fact, the Ivy trust account

issues were specifically used by Informant as a basis for its Motion to Revoke Respondent's probation. Although it is no doubt legally permissible for Informant to bring up the Ivy trust account issues to justify a separate disciplinary action against Respondent, one is left to wonder why. The Ivy trust account issues were presented to this Court as a basis for revoking Respondent's probation in 2004. Rather than revoke respondent's probation on the basis of the information presented by Informant, which included the Ivy trust account matter, this Court extended Respondent's probation. Although certainly not double jeopardy in a strict sense, Informant's action in dredging up past offenses which this Court has presumably already taken into account would seem to serve no constructive purpose.

After a period of admittedly failing to comply with trust account rules, Respondent has apparently been able to comply with all requirements since this Court's extension of his probation in April, 2004. It makes no sense to now drag up (1) conduct of the same kind, type and character as has already formed the basis for discipline (Perrine), or (2) conduct of the same kind, type and character - and conduct which did in fact - form the basis for previous disciplinary action (Ivy). A single finding of failure to keep a client informed (Guy matter) is simply not of the level of misconduct which should justify further disciplinary action by this Court beyond an admonition.

In its consideration of the aggravating and mitigating factors related to Respondent's violations, as so found, the Panel failed to consider that all of the problems occurred prior to this Court's action on May 25, 2004, extending Respondent's probation. This Court clearly knew about Respondent's problems with his trust account, communicating, and other issues

when it made the decision that an extension of Respondent's probation was the appropriate course of action. The Court was clearly aware that Respondent had issues handling client trust funds in the past. Although the Court might not have specific notice of the Perrine situation, that problem would really only constitute additional evidence of a problem with handling client funds that this Court already knew about. The Jerry Ivy matter was specifically presented to the Court in Informant's Motion to Revoke Respondent's Probation so that the Court was well aware of that issue prior to issuing its Order of May 25, 2004. The Ronald Guy issue relating to diligence was found in Respondent's favor by the Panel. The Panel did find some general, unspecified failure to keep Mr. Guy informed that seemingly took place prior to Mr. Guy's last complaint on February 10, 2004. The Panel failed to consider the fact that Respondent's record has been clean since the entry of this Court's Order of May 25, 2004.

This Court in its wisdom chose to extend Respondent's probation in May, 2004, rather than disbar Respondent, as requested by Informant. If the Court believed that Respondent's career was salvageable only one year ago, then how is going back in history to dig up past misdeeds a constructive approach to allowing Respondent to learn from his past mistakes? Informant's current action can only serve to frustrate the purposes of the probation process.

Under the ABA Standards for Imposing Lawyer Sanctions (1991 ed.), mitigating factors are listed as follows:

9.32 Factors which may be considered in mitigation:

Mitigating factors include:

(j) delay in disciplinary proceedings;

(k) interim rehabilitation;

(n) remoteness of prior offenses.

Informant for some reason delayed bringing the Perrine matter to this Court's attention. The Perrine matter occurred between December 14, 2002, and March 14, 2003, when Respondent paid all medical providers' bills. This incident is now too remote under all the circumstances to justify substantial discipline. If this Court's prior discipline has worked, Respondent will presumably have no further incidents of this type. It appears that the Ivy matter has already been considered by this Court and the Court extended Respondent's probation by two additional years on May 25, 2004. The Guy matter involves an incident where Respondent communicated with Mr. Guy but initially not enough to satisfy Mr. Guy. However, since May 25, 2004, Respondent has apparently communicated adequately enough to the point that Mr. Guy remains his client.

A-10. Mr. Guy has made no complaint since February 10, 2004.

CONCLUSION

Respondent Wiles has admittedly in the past committed professional misconduct by commingling his funds with those of his clients in his client trust account and converting client money in order to meet his own personal financial obligations. However, the present client instances involving such conduct, the Perrine and Ivy matters, occurred prior to the time this Court in May, 2004, extended Respondent's probation for an additional two years. In fact, the Ivy matter was presented to this Court by Informant in order to support Informant's motion to terminate Respondent's probation. This Court clearly recognized in May, 2004, that Respondent had been guilty of serious, multiple violations of the trust account rules. Respondent would submit that the important point to consider is his compliance

with ethical rules and regulations since this Court's last disciplinary action on May 25, 2004. Informant has presented no evidence that Respondent has failed to follow trust account rules, or any other disciplinary rule, from and after this Court's extension of his probation on May 25, 2004. Although Respondent may be technically subject to additional discipline, that discipline should not be disbarment.

Respectfully submitted,

Glenn E. Bradford
Missouri Bar No. 27396
Bradford & Walsh, P.C.
1150 Grand Avenue, Suite 230
Kansas City, Missouri 64106
(816) 283-0400 FAX (816) 283-0820

ATTORNEYS FOR RESPONDENT

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of May, 2005, two copies of Informant's Brief and a diskette containing the brief in Microsoft Word format have been sent via First Class mail to:

Sharon K. Weedin #30526
Staff Counsel

Office of the Disciplinary Counsel
3335 American Avenue
Jefferson City, MO 65109
(573) 635-7400

ATTORNEYS FOR INFORMANT

Glenn E. Bradford

CERTIFICATION: RULE 84.068

I certify to the best of my knowledge, information and belief, that this brief:

1. Includes the information required by Rule 55.03;
2. Complies with the limitations contained in Rule 84.06b);

3. Contains 4,248 words, according to Microsoft Word, which is the word processing system used to prepare this brief; and
4. That Norton Anti-Virus software was used to scan the disk for viruses and that it is virus free.

Glenn E. Bradford

APPENDIX

STANLEY L. WILES TIMELINE

December 6, 2002

KANSAS SUPREME COURT PUBLIC CENSURE

December 14, 2002

Wiles settles Perrine case, retains \$1,756.98

December 27, 2002

Wiles dismisses Guy petition w/o prejudice

March 14, 2003

Wiles pays Perrine medical provider's bills

April 3, 2003

Wiles settles Jerry Ivy case, retains \$1500.00 to pay
Marvin's Chiropractic Clinic

June 17, 2003

MISSOURI SUPREME COURT ORDERS ONE YEAR
PROBATION TRUST ACCOUNT ISSUES

July 9, 2003

Mr. Guy files complaint re not being kept informed

December 15, 2003

Wiles refiles Guy petition

December, 2003, to hearing

Wiles takes steps to effect service on defendant
No finding by Panel that Wiles took no further action on Guy
case, as alleged by Informant ("The Panel finds
that Respondent did not violate Rule-1.3 by failing to
act with reasonable diligence and promptness in representing
his client.") No further complaint by Mr. Guy after February
10, 2004. Retains Wiles as counsel on case. Apparently
satisfied with representation by Wiles.

February 10, 2004

Mr. Guy contacts Informant stating only one phone
contact from Wiles

March, 2004

Wiles sends Marvin Clinic a check for \$700, not accepted, on
Jerry Ivy case

March 2004

Informant moves Missouri Supreme Court to revoke
Wiles' probation—enumerated violations include Jerry
Ivy trust account issues

April, 2004

Wiles pays Marvin Clinic full \$1500.00 on Jerry Ivy case

May 25, 2004

IN RESPONSE TO INFORMANT'S MOTION TO REVOKE
PROBATION, MISSOURI SUPREME COURT EXTENDS
PROBATION BY 2 YEARS, CITING FAILURE TO FILE
REPORTS AND CO-MINGLING TRUST AND CLIENT FUNDS

After May 25, 2004

No further complaints about Wiles received and no evidence of
any failure to comply with Supreme Court's Orders after May
25, 2004

